

ed

| | | | |
|-------------------------------|------------------------|---------------------|--|
| Notice of Allowability | Application No. | Applicant(s) | |
| | 09/332,420 | HAUBER, DAVID EDGAR | |
| | Examiner | Art Unit | |
| | Alicia Chevalier | 1772 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on October 29, 2003.
2. ☒ The allowed claim(s) is/are 1,3,5,7 and 9.
3. ☒ The drawings filed on 05 February 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. _____.
 - (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892) | 5 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____. |
| 3 <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No. _____ | 7 <input type="checkbox"/> Examiner's Amendment/Comment |
| 4 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input type="checkbox"/> Other |

REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance:

The base claims are claims 1 and 7.

They can be summarized as follows:

- a fiber reinforced pipe member comprising
 - o solid thermoplastic pipe length with a hollow cavity
 - o multiple layers of continuous juxtapositioned reinforcement fibers selected from the group consisting of ceramics, metals, carbon, glass compositions and organic polymers which further includes a thermoplastic resin binder
 - o each of said multiple applied layers having been applied successively at predetermined spatial angle with respect thereto which differs from the spatial angle employed for immediately preceding applied layer
 - o said reinforcement fibers having been continuously wrapped about the outer surface of the unheated hollow pipe length in an unbonded condition while said pipe length continuously moves without rotation in a linear travel direction with respect thereto, followed by sufficient external heating of the fiber wrapped pipe length thereafter while continuously moving in the same linear travel direction to cause thermal bonding of all applied fibers to the outer wall surface of the underlying hollow pipe length without further melting of said underlying hollow pipe length.

The closest prior art, Gibson et al. (H1261), discloses a thermoplastic pipe with multiple layers of reinforced fibers applied to the pipe, while the entire pipe is in a molten state and

Art Unit: 1772

Sum rotating. Gibson fails to disclose that ^{its} reinforced fibers include ~~a~~ a thermoplastic resin binder, each of said multiple applied layers having been applied successively at predetermined spatial angle with respect thereto which differs from the spatial angle employed for immediately preceding applied layer, or the reinforcement fibers are continuously wrapped about the outer surface of the unheated hollow pipe length in an unbonded condition while said pipe length continuously moves without rotation in a linear travel direction with respect thereto, followed by sufficient external heating of the fiber wrapped pipe length thereafter while continuously moving in the same linear travel direction to cause thermal bonding of all applied fibers to the outer wall surface of the underlying hollow pipe length without further melting of said underlying hollow pipe length.

Sum In summary, the prior art of record fails to teach or suggest ~~the~~ fiber reinforced pipe having all the features of the base claims.

2. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia Chevalier whose telephone number is (571) 272-1490. The Examiner can normally be reached on Monday through Thursday from 8:00 a.m. to 5:00 p.m. The Examiner can also be reached on alternate Fridays.



Art Unit: 1772

If attempts to reach the Examiner are unsuccessful, the Examiner's supervisor, Harold Pyon can be reached by dialing (571) 272-1498. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for all communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose phone number is (571) 272-0987.

ac

1/24/04

A handwritten signature in black ink, appearing to be 'A. B.', written over the date '1/24/04'.A handwritten signature in black ink, appearing to be 'Sandra M. Nolan', written above the printed name.

SANDRA M. NOLAN
PRIMARY EXAMINER